

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH CASE NO. 2010110717

v.

DRY CREEK JOINT ELEMENTARY
SCHOOL DISTRICT, PLACER COUNTY
OFFICE OF EDUCATION AND PLACER
COUNTY CHILDREN'S SYSTEM OF CARE,

DRY CREEK JOINT ELEMENTARY
SCHOOL DISTRICT,

OAH CASE NO. 2010091063

v.

PARENT ON BEHALF OF STUDENT.

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING DUE
PROCESS HEARING

On January 19, 2011, the parties filed a request to continue the hearing date in this matter on the grounds that the case requires more than the currently calendared single day of hearing. The parties submitted mutually agreed upon dates for hearing. The parties do not request a continuance of the currently set prehearing conference date of January 26, 2011.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, the Office of Administrative Hearings (OAH) is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

OAH has reviewed the request for good cause and the request is:

☒ Granted. The February 2, 2011 due process hearing date is vacated. This matter will be set as follows:

Prehearing Conference: January 26, 2011, at 10:00 AM
Due Process Hearing: February 7 – 10, 14 – 17, 22 – 24, 2011, at 1:00 PM
on February 7, 14 and 22, 2011, and at 9:00 AM on
all other dates, unless otherwise ordered

IT IS SO ORDERED.

Dated: January 21, 2011

/s/

BOB VARMA
Administrative Law Judge
Office of Administrative Hearings